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LETTER DATED 15 APRIL 1998 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Pursuant to paragraph 4 (c) of the Memorandum of Understanding between the United Nations and the Government of Iraq dated 23 February 1998 (see S/1998/166) and paragraph 18 of the Procedures established in accordance with paragraph 4 (b) of the Memorandum of Understanding (see S/1998/208 of 9 March 1998), I have the honour to transmit the report of the Special Group on visits to presidential sites undertaken in the period from 26 March to 2 April 1998.

(Signed) Kofi A. ANNAN

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Annex

Letter dated 9 April 1998 from the Under-Secretary-General for Disarmament Affairs addressed to the Executive Chairman of the Special Commission established by the Secretary-General pursuant to paragraph 9 (b) (i) of Security Council resolution 687 (1991)

Pursuant to the terms of paragraph 4 (c) of the Memorandum of Understanding between the United Nations and the Republic of Iraq and paragraph 18 of the Procedures, I enclose my report to be forwarded to the Secretary-General (see enclosure).

(Signed) Jayantha DHANAPALA
Head of the Special Group,
Under-Secretary-General
for Disarmament Affairs

Enclosure

Report of the Special Group established for entries into Iraqi presidential sites

I. INTRODUCTION

1. The Special Group constituted pursuant to the terms of paragraph 4 of the Memorandum of Understanding between the United Nations and the Republic of Iraq dated 23 February 1998 undertook a series of initial visits to the eight presidential sites named in the annex to the Memorandum from 26 March to 2 April 1998. The Special Group arrived in Baghdad on 24 and 25 March and left on 4 April.

2. The Special Group consisted of 20 senior diplomats, listed in appendix I, who were appointed by the Secretary-General from among nominations received from a number of Governments invited to provide diplomats for this task. Experts drawn from the Special Commission (UNSCOM) and the International Atomic Energy Agency (IAEA), listed in appendix II, also comprised the Special Group. The results of their activities and findings are contained in the summary report of the Head of the Team of Experts (appendix III). The Secretary-General appointed Mr. Jayantha Dhanapala, Under-Secretary-General for Disarmament Affairs, as Commissioner and Head of the Special Group. Mr. Charles Duelfer, Deputy Executive Chairman of UNSCOM, was designated Head of the Team of Experts. The formal communication required under paragraph 15 of the Procedures was handed over by the Head of the Special Group to Dr. Riyadh Al-Qaysi, Under-Secretary-General for Foreign Affairs, Ministry of Foreign Affairs of Iraq, on 25 March. Immediately thereafter, the Head of the Special Group was invited by Deputy Prime Minister Tariq Aziz to a discussion of the procedures and the facilities to be provided by the Iraqi authorities for the visits.

3. The Special Group was guided by the Memorandum of Understanding and the Procedures drawn up for their task. In general, the Team of Experts was divided into three sectoral sub-teams, one external sub-team and specialist sub-teams. Senior diplomats were deployed accordingly ensuring that experts and their Iraqi counterparts were observed consistently by them. Senior diplomats also accompanied experts and their Iraqi counterparts in the helicopters used during the visits. The observations of the senior diplomats are contained in the report that follows.

II. ENTRY INTO THE RADWANIYAH PRESIDENTIAL SITE

4. The south and south-east sectors of this site were visited by the Special Group on 26 March. This was followed by a visit to the north sector on 27 March. During the course of the visits the Iraqi authorities were observed by the senior diplomats to raise national security concerns in respect of (a) general aerial photography from the helicopter that was used as distinct from photography of specific situations; and (b) the use of global positioning system (GPS) instrumentation. Following negotiations conducted on site, the rights of UNSCOM to general aerial photography embodied in relevant Security

Council resolutions (e.g. resolution 707 (1991)) were emphasized by the Head of the Team of Experts and the Iraqi authorities finally agreed, on an ad hoc basis, that this could take place for a reasonable amount of time. With regard to the use of GPS instrumentation, a compromise agreement was reached, again on an ad hoc basis, in deference to Iraqi concerns and in a spirit of cooperation. This would apply to initial visits to presidential sites and would not be regarded as a precedent for future visits since UNSCOM asserts its rights to use GPS instrumentation as standard equipment. National security concerns were also raised in respect of drawings and sketches of buildings, which UNSCOM required as part of its "baseline survey". This matter was also resolved satisfactorily.

5. Soil sampling and the use of other equipment was conducted by the experts without difficulty. The helicopter was able to complete obtaining all the imagery it required. With regard to the baseline survey conducted by the experts, discrepancies were found between the survey conducted earlier and the ground realities and after some discussion these were resolved satisfactorily. The helicopter used by UNSCOM was able to land within the Radwaniyah Presidential Site so that the senior diplomat in the helicopter, Ambassador Antonio Monteiro of Portugal, could have consultations with the Head of the Special Group, who was also provided with the opportunity to observe the site from the air.

III. ENTRY INTO THE TIKRIT PRESIDENTIAL SITE

6. The Special Group proceeded by road in a journey of over three hours to the Tikrit Presidential Site on 28 March and completed its visit on the same day. Necessary adjustments with regard to the survey of the boundaries were raised and clarified at an early stage of its visit, illustrating that the experience of the previous visits had proved beneficial. Consequently much time was saved. No difficulties were encountered with regard to aerial photography or the use of GPS instruments. Taking of photographs on site where a soil sample has been taken was objected to at first, but after discussion acceptable arrangements were made.

IV. ENTRY INTO THE MOSUL PRESIDENTIAL SITE

7. After staying the night of 28 March in a hotel in Mosul, the Special Group visited the Mosul Presidential Site on 29 March. This visit was conducted in rainy weather, which hampered the arrangements. The weather conditions resulted in poor aerial imagery and the Iraqi authorities agreed to a subsequent flight of an UNSCOM helicopter over the site on Friday, 3 April with a senior diplomat on board. A request by UNSCOM to meet the site manager could not be met on the day in question. A subsequent visit on 31 March was arranged so that competent officials were able to discuss the layout of the site with UNSCOM experts. No other significant problems were encountered during the visit.

V. ENTRY INTO THE JABAL MAKHUL PRESIDENTIAL SITE

8. The Special Group proceeded to this site directly from visiting the Mosul site, completing their visit in the afternoon of 29 March. A request was made by the UNSCOM experts for the landing of the helicopter on site, but the Iraqi authorities proposed that the helicopter land immediately outside the site but within close proximity to it. Detailed examinations of underground facilities for the disposal of rainwater took place without difficulty. The visit was concluded in approximately three hours and the Special Group returned to Baghdad late on the night of 29 March. The visit to the site was undertaken by a reduced number of experts and diplomats since the team proceeding to Basrah had proceeded to Baghdad after the Mosul site was visited. A subsequent visit was conducted on 31 March with a senior diplomat to examine the layout of the cooling and heating system on the site.

VI. ENTRY INTO THE THARTHAR PRESIDENTIAL SITE

9. This site was visited on 30 March by a major part of the Special Group. Aerial photography was undertaken. An issue regarding the boundary survey was resolved satisfactorily by the Iraqi authorities volunteering to move air defence batteries further away to prevent any confusion in the future. Those responsible for the technical management of the site were on hand to provide information.

VII. ENTRY INTO THE BASRAH PRESIDENTIAL SITE

10. Three senior diplomats and 21 experts from UNSCOM and IAEA proceeded to Basrah in a road journey of over six hours and completed their visit to the presidential site on 30 March. They stayed the night in Basrah and returned to Baghdad on 31 March. The Head of the Special Group accompanied the experts in the helicopter. A formal request to land on site by UNSCOM experts was not acceptable to the Iraqi authorities on the grounds of the special nature of the site and national dignity. Instead the helicopter landed in very close proximity to the site and the Head of the Special Group was provided with a vehicle to meet the experts and the senior diplomats on the site.

VIII. ENTRY INTO THE REPUBLICAN PALACE PRESIDENTIAL SITE

11. This site in Baghdad was visited on 1 and 2 April. In addition to the Deputy Prime Minister, the Minister for Oil and the Secretary to the President, who were regularly present at all sites, the Minister for Foreign Affairs and the Minister for Information were also present. The aerial survey by helicopter was postponed to 2 April, when the helicopter flew for 45 minutes with aerial photography being conducted. Two diplomats were present in the helicopter. The Iraqi authorities expressed concerns over flights above populated areas, which they claimed had been avoided in the past, and questioned the functional need for aerial photography when U2 imagery was available. In finally agreeing to the flight they maintained this was not to be cited as a precedent. The experts conducted what they considered to be a baseline survey of the site with the

cooperation of the Iraqi authorities. Issues concerning the entry into family living quarters occupied by the staff of the Palace and other matters were quickly resolved either at the field level or through the intervention of higher authorities. Discrepancies between the earlier survey and ground evidence were settled with the use of GPS equipment. Where documents were available a random check was conducted smoothly. Spot checking of computers was undertaken with the cooperation of the Iraqi authorities.

IX. ENTRY INTO THE SIJOOD PRESIDENTIAL SITE

12. This site in Baghdad was visited on 1 and 2 April and work proceeded smoothly with the cooperation of the Iraqi authorities. Initial disagreement between UNSCOM and the Iraqi authorities over the boundaries of the site were resolved through the use of GPS. In one isolated incident a request for a file was delayed.

X. CONCLUDING OBSERVATIONS

13. In general the senior diplomats observed that the relations between the UNSCOM and IAEA experts on the one hand and the Iraqi counterparts on the other were correct and both sides conducted themselves with professionalism and restraint. In many cases they had worked together for a long time and had developed a certain mutual respect. In the case of lower-level Iraqi officials encountering UNSCOM and IAEA experts for the first time, an understandable unfamiliarity sometimes translated itself into some hesitation in cooperating until orders were received from higher authorities, which invariably arrived in time. In a few instances, cultural differences and miscommunication caused misunderstanding, but this was soon settled, often through the good offices of senior diplomats. There were different perceptions on the relevance of questions asked by UNSCOM and IAEA experts to the mandated purposes under the relevant Security Council resolutions and Iraqi officials objected to some of the inquiries made by the UNSCOM and IAEA experts from time to time.

14. The regular presence of senior members of the Iraqi leadership on the presidential sites illustrated the seriousness with which the Government of Iraq approached the implementation of the Memorandum of Understanding. This facilitated the decision-making process. Deputy Prime Minister Tariq Aziz, Oil Minister Lt.-Gen. Amir Muhammed Rashid Al-Ubeidi and Dr. Abed Hamid Mohmood, Secretary to the President, were present at the majority of the sites together with Brig.-Gen. Hussam Amin, Director of the National Monitoring Directorate. In addition, Foreign Minister Mohammed Saeed Al-Sahaf and Information Minister Humam Abdul-Khaliq were present at the visit to the Republican Palace Presidential Site in Baghdad.

15. Paragraph 3 of the Memorandum of Understanding required that the Government of Iraq provides UNSCOM and IAEA with "immediate, unconditional and unrestricted access in conformity with" relevant Security Council resolutions, while UNSCOM "undertakes to respect the legitimate concerns of Iraq relating to national security, sovereignty and dignity". At the commencement of the visits to the presidential sites and regularly thereafter, tne Iraqi authorities conveyed

their concerns relating to national security and made reference to the June 1996 modalities for inspection of sensitive sites, which Iraq claimed had been agreed to between UNSCOM and Iraq with the argument that the presidential sites merited a higher degree of sensitivity and modalities that were special to them. In particular, the use of helicopters over populated areas adjacent to presidential sites, general aerial photography of presidential sites, unlimited access to State documents, examination of computers, the use of GPS and the taking of detailed sketches and drawings of buildings were objected to on national security grounds. UNSCOM for its part pointed out that the Security Council resolutions were the final source of their authority and that none of the activities objected to were specifically excluded by the Procedures drawn up to implement the Memorandum of Understanding of 23 February 1998. Despite this difference of opinion between the two sides, it was observed that working arrangements were devised on an ad hoc basis to enable the initial visits to the presidential sites to proceed. It is not clear whether these ad hoc arrangements will remain applicable for subsequent visits.

16. The concerns of the Iraqi authorities over national dignity and sovereignty connected to the special nature of the presidential sites were expressed in objections to landing UNSCOM helicopters on presidential sites and in entering the offices and living quarters of the Iraqi leadership. These concerns were by and large respected by the UNSCOM and IAEA experts, but the right to land helicopters on sites was reserved by UNSCOM.

17. During the visits to the presidential sites, entry into some buildings proved inconvenient for the UNSCOM and IAEA experts because of the presence of too many representatives of the Iraqi authorities. It was consequently necessary in certain instances for requests to be made for a restricted number of Iraqi representatives to accompany the UNSCOM and IAEA experts and senior diplomats, especially where there was inadequate space.

18. Paragraph 17 of the Procedures required that the observations of the Iraqi representatives be taken into consideration without impeding the ability of the team of experts to fulfil its mandated tasks. The senior diplomats observed that this provision was complied with and they themselves were always available to listen to the observations of the Iraqi authorities. On one specific occasion, they attended a briefing by the Minister for Oil in the Ministry of Foreign Affairs at the request of Iraqi authorities.

19. It was observed that the Iraqi authorities readily agreed to subsequent visits to some of the presidential sites necessitated by weather conditions or the need of UNSCOM and IAEA experts to clarify specific points.

20. The senior diplomats were present observing the work of the UNSCOM and IAEA experts at all presidential sites even when they broke up into sub-teams within the sites. In certain exceptional instances, because of transport difficulties, this was not possible. Where the attention of the Head of the Special Group was drawn to this, remedial arrangements were made immediately.

21. In the actual conduct of the visits to presidential sites, delays were sometimes experienced over the non-availability of keys, but the Iraqi authorities were often ready to break down doors, including steel doors, in

order to provide access. Some irritation on the Iraqi side over the repetition of visits to the same location by different teams of experts arose because of an inadequate understanding of the different tasks performed by different teams of experts.

22. The Iraqi authorities expressed serious concerns about the confidentiality of the information being gathered by the UNSCOM and IAEA experts, who for their part maintained that the information was totally safe in the hands of UNSCOM.

23. The stated objective of UNSCOM was that the round of initial visits to the eight presidential sites was a "baseline survey". The Iraqi authorities did not accept this characterization of the visits. The Memorandum of Understanding provides for "initial and subsequent entries for the performance of the tasks mandated at the eight presidential sites".

XI. ACKNOWLEDGEMENTS

24. As the Head of the Special Group, I wish to thank the Government of Iraq for the cooperation, facilities and courtesies extended to me and to the members of the Group. I also wish to thank Mr. Charles Duelfer, Head of the UNSCOM and IAEA Team of Experts, and all members of the Team, the Director and staff of the Baghdad Monitoring and Verification Centre and the Bahrain Field Office of UNSCOM for their assistance in ensuring the fulfilment of our tasks. I thank the Governments of the Member States who released the senior diplomats for this important mission. I would like to place on record my appreciation of the conscientiousness with which the senior diplomats discharged their duties in difficult conditions. The role of the Special Representative of the Secretary-General, Mr. Prakash Shah, who assumed duties immediately before the visits commenced, was invaluable.

Appendix I

Senior diplomats

1.	Ambassador Roberto Garcia-Moritan	Argentina
2.	Counsellor Hassan M. Al-Ansari	Bahrain
3.	Minister Counsellor Oswaldo E. Portella	Brazil
4.	Ambassador Michael Bell	Canada
5.	Minister Counsellor Tiankai Cui	China
6.	Ambassador Marcel Laugel	France
7.	Counsellor Alfred M. Moussotsi	Gabon
8.	Ambassador Horst Holthoff	Germany
9.	Counsellor Josef Papp	Hungary
10.	Ambassador Pietro Cordone	Italy
11.	Counsellor Tsukasa Uemura	Japan
12.	Ambassador Antonio Monteiro	Portugal
13.	Minister Counsellor Woong-Nam Kim	Republic of Korea
14.	Counsellor Gheorghe Tsarlescu	Romania
15.	Minister A. Kalugin	Russian Federation
16.	Ambassador Andrej Zlebnik	Slovenia
17.	Ambassador Saeed Saad	Sudan
18.	Ambassador Johan Nordenfelt	Sweden
19.	Counsellor Simon Collis	United Kingdom
20.	Ambassador Ryan Crocker	United States of America

Appendix II

Experts

1. Charles Duelfer (Head of the Team)
2. Roger Hill (Chief expert)
3. Jacques Baute (Senior expert)
4. Bill McLaughlin (Senior expert)
5. Chris Cobb-Smith
6. Ragab El-Shaer
7. Gavin Newson
8. Lesley Rose
9. Wayne Goodman
10. Steven Frerk
11. Steve Elliot
12. Simon Thommason
13. John Sim
14. Greg Owen
15. Patrick Hamzadeh
16. Craig Johnson
17. Ken Norman
18. Oliver Schacht
19. Hosni Baderddine
20. Alexandre Jassani
21. Patrick Walker
22. Genc Osmani
23. Cui Xinshui
24. Ali Adam
25. George Healey
26. Michio Hosoya
27. Ibrahim Cherradi
28. Nam Zhang
29. Diane Seaman
30. Gustavo Diedrichs
31. Daniel Clemments
32. Esteban Mackay
33. Niall Creed
34. Oliver Desmandryl
35. Mohamed Amayreh
36. Jiachang Pei
37. Steven Scagnelli
38. Andre Lagattu
39. Mikhail Rijinski
40. Alain Bernard
41. Alex Macdonald
42. Andrzej Grezelka
43. Andrzej Lajourdie
44. Jerzy Deren
45. Colin Mills
46. Taisseer El-Shamy
47. John Senchak
48. Francis Towndrow

49. Tainmi Chen
50. Andrew Jones
51. Frank Pabian
52. Neville Whiting
53. Samir Morsy
54. Jess Foxx
55. Martin Frankl
56. Ngemar Vintersved
57. James Lee
58. Siegfred Ruzicka
59. Wladislaw Bury
60. Ruifu Yang
61. Vin Murphy
62. Michale Burkland
63. Craig Murray
64. Peter Hubbard
65. Jack Lennox
66. William Olcott
67. Yuri Rudakov
68. Gerard Essertel
69. Vladimir Lisenko
70. Viacheslav Slastionov
71. Vitaly Agababyan
72. Alan Earle
73. Chris Webb
74. Louis Briscese
75. Lawrence Meledeth
76. Helgard Du Preez
77. Gregg Whitaker

Appendix III

Initial entry to the presidential sites

Summary report of the Head of the Team

1. The initial entry to the eight presidential sites in Iraq, tasked by the Executive Chairman of the Special Commission (UNSCOM), was performed by mission UNSCOM 243 during the period from 25 March to 4 April 1998. The initial entry was conducted following the Memorandum of Understanding between Iraq and the Secretary-General of 23 February 1998. This agreement and its implementing procedures provided for special arrangements by which Iraq would accept UNSCOM and the International Atomic Energy Agency (IAEA) access to the eight presidential sites. Previously, and contrary to Security Council resolutions, access to these sites had been blocked from United Nations inspectors. As will be seen below, one major aspect of the agreement - involving the continuing nature of such access - is still unresolved, merely postponed.

2. The initial entry to the sites had limited objectives, which were achieved. It is important to emphasize that this mission was not a search-type mission, nor was it no-notice. Iraq had over a month to make whatever preparations it desired.

3. Cooperation from Iraqi counterparts was satisfactory. The presence of senior diplomatic observers worked out generally well. Of particular note was the constructive presence of Presidential Secretary Mr. Abid Hamoud and Lt.-Gen. Amer Rashid, the Minister for Oil, during the visits.

4. The team was composed of a Head of Team, Mr. Charles Duelfer (the Deputy Executive Chairman of UNSCOM), a Chief Expert, Mr. Roger Hill, and approximately 71 inspectors from 17 countries. IAEA was a joint participant in this mission represented by Deputy Chief Expert, Mr. Jacques Baute, and 14 IAEA experts.

5. The team assembled in Bahrain on 21 March and conducted training until 25 March, when the team travelled to Baghdad. Detailed planning was done in advance to identify site approach routes and the inspection procedures. Operation and logistical planning was conducted in Bahrain and was accomplished smoothly. The team also provided operational and logistical support for the senior diplomats once in Iraq. This placed an additional responsibility on the 243 UNSCOM logistics and operations planners. They performed superbly and the diplomats had few complaints about the planners.

6. Site entries began on 26 March. The eight presidential sites were surveyed according to the following schedule:

26-27 March	Three sites in Radwaniyah
28 March	Tikrit
29 March	Mosul and Jabal Makhul

30 March	Lake Tharthar and Basrah
31 March	Report writing and perimeter re-survey visits
1-2 April	Republican Palace and Sijood
3-4 April	Report writing and perimeter re-survey visits

7. The team was organized into three entry sub-teams and additional support sub-teams, including a special sensor team, external security team and headquarters team. Sites were divided into sectors, with each entry team responsible for a respective section.

8. A baseline survey was conducted at all presidential sites that allowed the Commission to establish the location, general purpose and a general understanding of most buildings within the sites. This involved brief visits to approximately 1,000 buildings during an eight-day period. Obviously, time was limited at each building and quick assessments were required. Document and computer searches were to be limited to spot checks intended to set a precedent.

9. Iraq, ultimately, provided the cooperation necessary to complete these tasks. Present during all mission activities was Lt.-Gen. Amer Rashid. Present during most of the visits was also Presidential Secretary Mr. Abid Hamoud. Deputy Prime Minister Mr. Tariq Aziz was present at all site visits, but avoided contact with UNSCOM members.

10. The utility of this limited mission is threefold. Firstly, the acquired database will allow UNSCOM and IAEA to conduct more focused subsequent inspections, which will support both ongoing monitoring tasks as well as searching for prohibited materials and related documents. Secondly, the visits allowed inspectors to gain a much better understanding of the nature of the facilities in these areas and that will help dispel many uncertainties and concerns. Finally, the precedent of access to the sites and the use of normal UNSCOM/IAEA inspection techniques was demonstrated.

11. The mission was not intended to be a search for prohibited material and none was found. In fact, there was very little equipment, documentation or other material in the sites at all. It was clearly apparent that all sites had undergone extensive evacuation. In all the sites outside of Baghdad, for example, there were no documents and no computers. The buildings were largely empty. In the Baghdad area, there were limited documents and a few computers at selected government facilities such as the Presidential Diwan. However, like other areas, most buildings were emptied of contents. The Republican Palace, including the area described as belonging to the President, was evacuated. Iraq's explanation for this was that such measures were taken in anticipation of a military strike. This makes follow-on missions more important.

12. A key accomplishment of the mission was to plot more precisely the boundaries of the presidential sites. Changes were made to four of the sites and included significant surveying work. Discussions over the precise boundaries were conducted primarily with Lt.-Gen. Amer Rashid with the episodic involvement of Presidential Secretary Mr. Abid Hamoud. The presence of these

senior officials provided for quick decisions as required. The revised perimeters of the sites have now been agreed upon in the signed note between the Deputy Executive Chairman, Mr. Charles Duelfer, and Lt.-Gen. Amer Rashid.

13. One element of the discussions on the established perimeters concerned the provision for subsequent changes of the presidential areas. The Commission is concerned that Iraq could change portions of these sites without notifying the Commission and this might lead to problems in subsequent inspections. The team sought to include a provision for 24-hour prior notification to the Commission of any such changes. However, Lt.-Gen. Amer Rashid asked that this not be included in the signed document since it would imply a continuing right of access to such sites by the Commission. This, he stated, was not Iraq's position.

14. Lt.-Gen. Amer Rashid stated that it was well known to the Deputy Executive Chairman that Iraq had agreed only to a process of visits of finite duration. This was their view of what they had agreed in the 23 February Memorandum of Understanding. He also acknowledged that it was the view of the Deputy Executive Chairman that access would be required for long-term monitoring. The Deputy Executive Chairman stated that it was his understanding that the Secretary-General was of the same view. However, since it was not the purpose of the mission to resolve the problem of time limits on access, it was agreed to delete reference to any ongoing procedures. It is essential to note, however, that the fundamental issue of continuing access is by no means solved and has only been postponed to the future.

15. The most distinguishing feature of the mission was the presence of a contingent of senior diplomats and the Commissioner designated by the Secretary-General to head the Special Group. The work was organized to ensure that diplomats were present during all visits to buildings and areas in presidential sites. For the most part, this did not interfere with the work of UNSCOM/IAEA. The senior diplomats performed their mission as observers well and with enthusiasm.

16. Nevertheless, in certain limited circumstances, diplomats engaged in argumentation and challenges to the work of UNSCOM experts, supporting Iraqi views against those of UNSCOM. At times it seemed that Iraq was raising spurious issues with the diplomats to put the Commission's experts on the defensive. The Commission's experts might then raise complaints of their own and this had the potential of developing into a damaging tit-for-tat situation. However, as the mission continued, this negative dynamic seemed to recede. It is important to recognize, however, that such problems are likely to re-emerge in the future, especially when true no-notice inspections are conducted.

17. The cooperation provided by the Iraqis allowed the completion of the mission. However, this was not always readily achieved and there were some instances of denial of UNSCOM and IAEA rights, which were, however, not deemed essential for the present mission.

18. The most contentious issue was the overflight and photography of the presidential sites by the UNSCOM helicopter. Such photography is necessary for the baseline survey to verify reporting of building location and structure by

ground inspectors. Iraq initially denied permission for such activity. While the Head of Team insisted on this aspect of the mission and would not proceed with the rest of the inspection without it, the Iraqis did not engage in discussion with the UNSCOM team. Instead, they engaged the Secretary-General's representatives and, indeed, the Secretary-General himself.

19. Ultimately, the Secretary-General supported the UNSCOM position and Iraq relented. This has important implications for the authority of UNSCOM and its chief inspectors when dealing with the Iraqi counterparts and may reflect a fundamental change in the relationship between Iraq and the Special Commission. It will be important that the Secretary-General's representative be supportive of the approach of UNSCOM inspection teams or the chief inspector risks being undercut in seeking Iraqi compliance in future disputes over access or other matters.

20. Two other issues arose related to aerial operations. The team had sought to land an UNSCOM helicopter within these presidential sites. Iraq blocked this on all but one occasion. Further, the Commission had planned on moving inspectors and diplomats from a site in the north (Mosul) to a site in the south (Basrah) by air. This would have saved time and wear and tear on the individuals involved since by road this is several hours of driving. During the recent meetings in Baghdad with the Executive Chairman, the Deputy Prime Minister of Iraq again declined to allow the Commission's aircraft to operate at any location other than Habbaniya Airbase, in contravention of Security Council resolutions.

21. Another potential problem surfaced regarding the procedures and stated requirements for the presence of senior diplomats at specific locations. Iraq stated that UNSCOM and IAEA staff could not enter buildings without a diplomat being present. This did not pose a problem during the course of this mission since many diplomats were present and it was not a surprise visit. However, it must be noted that the procedures do not contain any such requirement and in fact allow for the division of the team into sub-teams at the discretion of the Head of the Team of Experts. There is no stated requirement for a senior diplomat to be present in each sub-team. In the future this may be problematic since no-notice visits require quick movement into the location often by multiple sub-teams. Assuring the presence of several diplomats at all locations will inhibit the possibility of surprise, since non-Baghdad-based senior diplomats may then be required. The team did not dispute the request by Iraq to have a diplomat present at each building entered, but this was without prejudice to future missions.

22. Another noteworthy feature of this mission was the extraordinary large numbers of Iraqi minders present at all times. This slowed the work. The organization of convoys of the 25 or so United Nations vehicles and the 40 to 50 or more Iraqi vehicles was difficult. Convoys at times exceeded a kilometre in length. Upon entry to sites and buildings, the ratio of Iraqis to inspectors was often five to one or greater. At times inspectors asked minders to remain outside the buildings as the crowds inhibited serious work.

23. On balance, the mission was successful, but it was apparent that some key issues will arise again in the not too distant future and the Council should be

prepared to face them when they arise. Certainly, the matter of continuing access is unsettled and will ultimately re-emerge as the Iraqi side clearly feels that the phrase in the 23 February Memorandum of Understanding referring to "initial and subsequent visits" means for a limited period only.

(Signed) Charles DUELFER
Deputy Executive Chairman,
Head of the Team